

Claim Rejections – 35 USC § 112

The above amendments to claims 4, 5, 7, and 8 are proposed to make them more particular and definite, e.g., removing the terms “new” and “old”.

Claim Rejections – 35 USC § 103

It is not explicitly clear from the Office Communication that claims 10-20 are rejected based on Patent Number 4,874,348 by Lafreniere, but for the sake of conservation of time and paper, the following argument also supports and explains claims 10 through 20, as amended.

Although Patent Number 4,874,348 by Lafreniere does show a “tubular” section for enclosing and holding a stack of coins and also a “scoop” that may be fairly characterized as (“spade-pointed” coin-receiver, cf. Claim 1) for loading the same, the Lafreniere apparatus cannot perform the “wrapping” nor the “insertion” functions of any embodiments of the claimed “coin-wrapper” invention; nor does the Lafreniere apparatus purport to solve the problems (e.g., overcoming resistance to insertion between a coin holder body and a stack of coins therein, and then substantially conforming to the stack’s shape) that the invention solves. Also, the Lafreniere apparatus cannot be used as a coin “wrapper” nor does it constitute a coin “wrapper” because it is necessarily a rigid solid non-flexible thing that cannot be “wrapped” (e.g., substantially conformed) to contain a nominally cylindrical stack of coins. Also, if someone were to manufacture the Lafreniere apparatus out of a material or materials pliant or flexible enough to be manually “wrapped” (e.g., substantially conformed) around a nominally cylindrical stack of coins, the Lafreniere apparatus could not still function in the manner that the Lafreniere apparatus was described and intended to function, and would not solve the problems that the Lafreniere apparatus was described and intended to solve. The Lafreniere patent explicitly teaches the practical necessity of a fairly ridged and

inflexible thickness of stiff material for the manufacture of the Lafreniere apparatus in these words:

“It is designed to be manufactured from plastic although of course metal may be used....” Column 2; Lines 47-48

It is certainly not “obvious” from the Lafreniere Patent to use a metal “foil”, nor paper, nor even any “paper-thin” material to manufacture of the Lafreniere apparatus. By contrast, coin “wrappers” are universally made of paper or other paper-thin material that is pliant or flexible enough to be manually “wrapped” (e.g., substantially conformed) around a nominally cylindrical stack of coins. Thus, it cannot be obvious from the Lafreniere patent to manufacture a coin “wrapper” havin the spade-pointed shape of the “scoop” of the Lafreniere apparatus. Nor would it be “obvious” from the Lafreniere patent that a “spade-pointed” cylindrical coin receptacle made of paper or having a “paper-thin” scoop and cylindrical wall would have ANY USEFULNESS or any practical utility. Anyone considering to manufacture the Lafreniere apparatus or its spade-pointed “scoop” out of paper or any “paper-thin” thickness of material would immediately realize, or presume, that the product of that manufacture would be USELESS, since it could not possibly well perform the intended functions of the Lafreniere apparatus, nor would any advantage of such a spade-pointed “scoop” in a coin-wrapper be obvious. A spade-pointed “scoop” in a paper or flexible coin-wrapper would FAIL to perform the obvious functions of a “scoop” because of the relative fragility of paper or of a paper-thin material when impinged upon metal coins.

Moreover, the Lafreniere patent does NOT teach the USE nor the usefulness of a spade-pointed (paper thin) cylindrical coin holder to facilitate insertion between a stack of coins and a coin counter. The solution that was discovered to the problem of resistance to the insertion of conventional coin-wrappers into the thin and irregular gap (between a stack of coins and a coin holder (coin counter))

was not “obvious” to anyone, or such a simply achieved improvement (e.g., shaping the paper tube with one cut of a pair of scissors) would have become widely used more than 60 years ago when the paper coin-wrapper and the coin-counter were both already well-known.

It is only the present disclosure that teaches the USE and usefulness and advantages of using a spade-pointed (paper thin cylinder shaped) coin “wrapper” to improve insertion of the cylindrical coin wrapper into the irregular gap between a stack of coins and a coin holder (coin counter). Thus, there would be no motivation, until the publication of the disclosure, for anyone skilled in the art to transform the “spade-pointed” body disclosed in the Lafreniere patent for use as a paper-thin coin “wrapper”. Conversely, there would be no motivation, until the publication of the disclosure, for anyone skilled in the art to transform a paper-thin coin “wrapper” into the “spade-pointed” body disclosed in the Lafreniere patent. Thus, it would be not be obvious, to one skilled in the art at the time of the invention (e.g., before its disclosure) to incorporate the spade-pointed (in your words, “angled scoop configuration”) of the Lafreniere coin holder into a paper-thin (i.e., flexible) coin “wrapper.”

Similarly, no one intending to use Lafreniere apparatus for the purposes described in the Lafreniere apparatus would have any motivation to manufacture the cylindrical walls of the Lafreniere apparatus to the inherently “paper-thin” thickness dimension of a coin “wrapper.” Thus, no one viewing the Lafreniere apparatus would think to make its cylindrical walls and “scoop” so “paper-thin” as to be used as a “coin wrapper.”

Also, a “coin wrapper” is nominally a “disposable” item, or an item that is normally discarded or recycled as a raw material (e.g., paper) after a single use. But, the Lafreniere apparatus is clearly not intended to be disposed of after a single use, and its “scoop” is therefore made to function more like reusable “scoop” than

as relatively fragile paper insertion apparatus as in the invention. The flare in the scoop in the second figure (FIG. 2) in the Lafreniere patent makes it clear that the “scoop” in that device is not intended for insertion between a stack of coins inside of a coin counter, but is rather operated more like a filling “funnel”. In fact, the flare in the scoop in the second figure (FIG. 2) in the Lafreniere patent and the coin-counter in the cylindrical portion of the Lafreniere apparatus strongly resembles the funnel on the conventional coin-counter that the present invention is intended to be inserted into. The Lafreniere patent certainly does not teach anyone to insert one specimen of the Lafreniere apparatus into a second specimen of the Lafreniere apparatus. If anything, the Lafreniere patent teaches away from providing a second Lafreniere apparatus to unload the first Lafreniere apparatus. The Lafreniere apparatus provides a “dispenser” end for the express purpose of unloading the Lafreniere apparatus. Thus, it would not be obvious to modify the Lafreniere apparatus to produce a paper-thin spade-pointed coin-wrapper to unload the funnel-loaded coin-counter within the Lafreniere apparatus.

Thus, no one would have any motivation to implement the shape of the Lafreniere apparatus with a material or materials pliant or flexible enough to be manually “wrapped” (e.g., substantially conformally) around a nominally cylindrical stack of coins. Thus, no one would have any motivation to implement the shape of the Lafreniere apparatus as a “coin wrapper”, and it may be fairly stated that the disclosure of the Lafreniere Patent teaches away from anyone to implement the shape of the Lafreniere apparatus as a “coin wrapper.”

Thus, upon attributing a fair and definite significance to the word “wrapper”, a “coin wrapper” *per se* as claimed in claim one and claim ten of the application is NOT disclosed nor even suggested in nor obvious from the Lafreniere Patent. In fact, the Lafreniere Patent expressly teaches away from employing a spade-pointed

coin-wrapper to unload a funnel-loaded coin counter (See FIG. 2 of Lafreniere Patent).

Thus, a “spade-pointed coin wrapper” is not disclosed in, nor obvious solely in view of the Lafreniere Patent without the benefit of “hindsight” from the disclosure of the present invention. However, the inventor is willing to amend claim 1 and claim 10 to clarify and more explicitly recite the fair and definite significance that was already attributed by the inventor to the word “wrapper” in claims one and ten. The proposed amendment does not materially narrow independent claims 1 or 10, but rather clarifies and makes explicit the inherent features of a coin “wrapper” as was already claimed in the original claims 1 and 10. Thus, the above arguments, and the above listed amendments to claims 1 and 10 are submitted to overcome the Examiner’s rejections based on the Lafreniere Patent.

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Respectfully submitted.

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